

REMARKS

Applicants request favorable reconsideration of this application in view of the foregoing amendments and the following remarks.

Claims 1-22 were pending in the application and were rejected in the Office Action. By way of this Amendment, Applicants have amended claims 1-4 and 11-16 and have added claim 23. Accordingly, claims 1-23 are respectfully resubmitted for further consideration.

Claims 1-10 and 13-22 are rejected under 35 USC §112, ¶2. Specifically, the Office Action states that it is unclear from claims 1 and 13 whether Applicants intend to claim just a seat recline mechanism or the combination of the seat recline mechanism and a swing. The Office Action suggests using “adapted to” language in these claims to clarify that the claims relate to a seat recline mechanism only. Applicants submit that claims 1 and 13, as originally filed, clearly indicate that Applicants intend to claim the seat recline mechanism only and satisfy the requirements of 35 USC §112, ¶2; however, to expedite prosecution, Applicants have amended claims 1 and 13 to include “adapted to” language. The Office Action also notes that the preambles of claims 2-4 and 14-17 are inconsistent with the preamble of the claims from which they depend. Applicants have amended the preamble of claims 2-4 and 14-16. Applicants believe the inclusion of claim 17 in this rejection was in error since the preamble of that claim properly recites “a seat recline mechanism.” Accordingly, Applicants respectfully request a withdrawal of the rejection of claims 1-10 and 13-22 under § 112, ¶ 2.

Claims 11 and 12 are rejected under 35 USC §102(b) as anticipated by Turner (USP 5,593,207). Applicants submit that claim 11, as amended, is patentable over Turner for at least the following reason, and Applicants respectfully traverse this rejection of claim 12, which has been rewritten as an independent claim. Applicants separately address the rejections of claims 11 and 12.

Claim 11, as amended, defines a child swing that includes “at least one hanger arm” and “a seat recline mechanism that engages the seat back and the hanger arm.” Applicants submits that Turner does not teach or suggest a seat recline mechanism that engages a hanger

arm, as required by claim 11. The Office Action analogizes the support arm 22 of Turner to the hanger arm of claim 11; the Office Action also analogizes the cover 320 of the seat-back locking mechanism 340 of Turner to the seat recline mechanism of claim 11. Assuming, for the sake of argument, that the Office Action's analogies are proper, Turner's support arm 22 extends through a U-shaped channel 78 of a side arm 48, between outer and inner side walls 70, 76 of the side arm 48, and behind the associated seat back locking mechanism 340 and its cover 320 (see FIGS. 6, 10, and 11). The seat-back locking mechanism 340 of Turner does not engage the support arm 22. Accordingly, Turner does not teach or suggest a "seat recline mechanism that engages . . . the hanger arm," as recited in claim 11. Thus, Applicants submit that claim 11 is not anticipated under 35 USC §102(b) by Turner.

Claim 12, as amended, defines a child swing that includes "at least one latch positioned on one of the seat back and the hanger arm, and first and second latch-receiving members positioned on the other of the seat back and the hanger arm." Thus, according to claim 12, either a latch or first and second latch-receiving members are positioned on the hanger arm. Turner's support arms 22 lack any latch and/or latch-receiving member. For at least this reason, Applicants submit that Turner does not teach or suggest a latch or a latch-receiving member on a hanger arm. Accordingly, Applicants submit that claim 12 is not anticipated under 35 USC §102(b) by Turner.

Applicants have added new claim 23. New claim 23 defines a child swing that includes "at least one latch positioned on one of the seat back and the hanger arm; and first and second latch-receiving members positioned on the other of the seat back and the hanger arm, wherein the at least one latch is configured to engage the first latch-receiving member to position the seat back in its first in-use position, and the at least one latch is configured to engage the second latch-receiving member to position the seat back in its second in-use position." Applicants submit that claim 23 is patentable over the applied references.

In light of the foregoing, Applicants submit that claims 1-23 are in condition for allowance. A Notice of Allowance at an early date is respectfully requested.

The Examiner is invited to contact the undersigned if such communication would expedite prosecution.

Respectfully submitted,

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